IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

WP(C).No. 36316 of 2007(W)

PETITIONER:

SIDHAN, S/O. SREEDHARAN,
VADAKKADATHUMADOM VEEDU, PERUMPUZHA CHERRY,
ELAMPALLOOR VILLAGE.

BY ADV. SRI.V.BHASKARAN PILLAI
SRI.B.VINOD

RESPONDENTS:

SPECIAL TAHSILDAR,
LAND ACQUISITION, KALLADA IRRIGATION PROJECT NO.XI
KOTTIYAM.

BY GOVERNMENT PLEADER, SRI BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.PADMANABHAN NAIR, J.

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W.P.(C).No.36316 of 2007-W

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Dated this the 18th day of December, 2007

J U D G M E N T

The grievance of the petitioner is that though the land value was re-dertermined under Section 28A of the Land Acquisition Act, 1894, interest was refused. The stand taken by the respondent was that while re-determining compensation, the land owners are entitled to get interest only till the date of award that too only on land value. It is trite law that the compensation includes solatium also. So the petitioner is entitled to get interest in accordance with law till the date of issuance of the cheque. The Land Acquisition Officer is directed to re-consider the matter and award interest on solatium also till the date of issuance of the cheque. The amount shall be re-determined within three months from the date of receipt of a copy of this judgment.

Writ petition is disposed of in the above terms.

K.PADMANABHAN NAIR,
Judge

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